

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated March 28, 2003 are respectfully requested. A separate petition for a one-month extension of time accompanies this amendment.

I. Amendments

Applicants amend claims 1 and 11 to recite playing a first session of a game on "a first client device having a first device type" and playing a second session of the game on "a second client device having a second device type." Applicants amend claim 14 to recite playing a previous session of a game "on a first client device having a first platform" and a second game session "configured for playing on the first client device, on a second client device having the first platform, or on a third client device having a second platform distinct from the first platform." Applicants amend claim 7 to recite a server that "supports multiple content protocols simultaneously." Applicants amend claim 17 to recite that "each player can be associated with one or more client devices having distinct platforms." Support for these amendments is found in the specification at, for example, page 11, paragraph 33-35.

II. Rejections under 35 U.S.C. § 102

The Examiner rejects claims 1-5 and 7-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,527,641 to Sinclair et al. ("Sinclair"). Applicants respectfully traverse this rejection.

A. The Applied Art

Sinclair describes a game system where users can use "typical mobile stations" to play a game. The game includes a game center application executed on a game server that is separate from the mobile stations. The game can have multiple states, with each state having a command set. Choosing a command from the command set changes the game state. A game state can be saved if the user wants to resume an unfinished game at a later time.

B. Analysis

Applicant's technique permits a user on a connected device to interact with a persistent game world. When the user disconnects from the game world, the user can later reconnect and return to a game world that is consistent with what they would expect. Applicants' technique allows for a game world with many players. It has multi-player, multi-device, and multi-platform capabilities. For example, a player riding the bus home from work can begin playing a first session of a game on her wireless phone. She is playing against other players on a range of different device types. When her bus ride is over, she stops playing the game and the game server maintains her game state. When she gets home, she then resumes the same game in a second session on her PC, which has a platform that is very different from the platform in her wireless phone.

In accordance with applicants' techniques, claims 1 and 11 now recite playing first or previous session of a game on "a first client device having a first device type" and playing a second session of the game on "a second client device having a second device type." Claim 14 recites playing a previous session of a game "on a first client device having a first platform" and recites a second session "configured for playing on the first client device, on a second client device having the first platform, or on a third client device having a second platform distinct from the first platform." Similarly, claim 17 now recites "maintaining a game state on a server for any player, wherein each player can be associated with one or more client devices having distinct platforms" and claim 7 now recites a server that "supports multiple content protocols."

While Sinclair describes allowing a user to resume an unfinished game at a later time, Sinclair does not recite allowing the user to resume the game on a different device, let alone a device that has a platform different than the device used to start the game. Sinclair does not even disclose multiple device types for different players. To the contrary, Sinclair describes only one type of device, a "mobile station." In addition, Sinclair describes that the mobile station is a "limited" device (i.e., "reduced keyboard 400 and lightweight language application 406 operate in conjunction with a "menu" based text display mechanism on the display 414). Thus, whether viewed alone, or in combination with the other cited references, such as U.S. Patent No. 5,890,963 to Yen

("Yen"), by describing only one type of limited device, Sinclair does not disclose, and actually teaches away from compatibility with a range of devices having different platforms.

III. Rejections under 35 U.S.C. § 103

The Examiner rejects claim 6 under 35 U.S.C. § 103(a) as being obvious over Sinclair and further in view of Yen. However, because claim 6 depends from claim 1, which is allowable as discussed above, claim 6 is also allowable.

VI. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 264-6373.

Respectfully submitted,

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